

REMARKS

Applicants respectfully present Claims 1, 2, 4-10 and 12-24 for examination in the RCE filed herewith. Claims 1, 2, 6, 9 and 17 have been amended herein to more clearly define the scope of the claimed invention. Applicants respectfully submit that the claims and remarks presented herein overcome the Examiner's rejections in the Final Office Action dated February 19, 2008, in the parent application.

35 U.S.C. §103

1, 2, 4-10 and 12-24 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over Bork et al. (U.S. Patent No. 6,954,657, hereafter "Bork") in view of O'Neil et al. (U.S. Publication 2004/0224693, hereafter "O'Neil"). Applicants respectfully traverse the rejections.

The Examiner suggests that various sections of Bork teach or suggest each of the claimed elements, with the exception of schedule information as one of the inputs into the alerting system. The Examiner disagreed with Applicant's previously submitted assertion that Bork describes a system that is merely sensitive to its environment, resembling the prior art schemes described in Paragraph 9 of the Specification. Instead, the Examiner submits that since Bork describes itself as an "intelligent alerting system" in Col. 2, line 4, Bork is not a system that is merely sensitive to its environment.

Applicants respectfully disagree with the Examiner. Specifically, the Examiner glosses over the fact that the crux of the present invention is the incorporation of user-specific information together with environmental information to determine what action to take on any device. Applicants concede that Bork does in fact disclose utilizing physical context information and that O'Neil describes the concept of notifying a user of appointments, meetings, etc.. There is, however no attempt to combine the information within any larger scheme to customize the mobile device behavior for the user.

The Examiner states that "to have incorporated O'Neil et al teaching of using a calendar/scheduling information as part of the alerting/notifying means in Bork et al wireless device would have been obvious to a person having ordinary skill in the art because both Bork et al and O'Neil et al are disclosing different input means that are used to generate alerts in wireless, mobile devices". The Examiner then jumps to the

conclusion that “the skilled practitioner in the wireless arts with these two references in front of her would have found them readily combinable because of the fact that different inputs are being used to generate the alerts in Bork et al than in O’Neil but common sense would show that the alerts of either reference could easily be used in the other references. Applicants respectfully disagree.

Applicants respectfully submit that the combination of O’Neil with Bork does not render the claimed invention unpatentable. The same device may behave differently for different users because the users’ schedules may differ. Thus, while Applicants concede that Bork does in fact make reference to adjustments based purely on surrounding environmental factors, it makes no attempt to utilize any personalized user schedule information to customize that information. Bork therefore resembles the prior art scheme in the Specification in Paragraph 9 wherein the “devices behave the same for all users”. Even if combined, on its face, the combination of Bork with O’Neil simply suggests that the device may receive schedule information. Nothing whatsoever in either reference teaches or suggests combining this information together with the user’s physical information and user-location information to generate user context information, and to then utilize the user context information to determine what action to take. The schemes described in the references simply do not contemplate a personalized user experience on each device.

The Examiner glosses over this fact by suggesting that a skilled practitioner in the wireless arts would have found it obvious to extend Bork with O’Neil such that alerts are generated for other events. Applicants once again strongly disagree. with the Examiner’s suggestion that the combination of Bork with O’Neil is merely “arranging old and well known elements yielding no new results.” In fact, as claimed in the independent claims, the presently claimed invention brings up the concept of “user context information” that is unique to each user and dependent on both location as well as personal meeting information. In other words, each user context information may be unique and specific to one viewer. The concept of “user context information” is thus new and has not been implemented to Applicants’ best knowledge.

In summary, Applicants respectfully submit that Claims 1, 2, 4-10 and 12-24 are patentable over Bork and/or O'Neil. Applicants therefore respectfully request the Examiner to withdraw the 35 U.S.C. § 103 rejections to these claims.

CONCLUSION

Based on the foregoing, Applicants respectfully submit that the applicable objections and rejections have been overcome and that pending Claims 1, 2, 4-10 and 12-24 are in condition for allowance. Applicants therefore respectfully request an early issuance of a Notice of Allowance in this case. If the Examiner has any remaining questions, he is encouraged to contact the undersigned at (714) 730-8225.

Respectfully submitted,

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